

ISSUE DATE: April 15, 1998

DOCKET NO. E-002/RP-98-32

ORDER GRANTING TIME EXTENSION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Edward A. Garvey
Joel Jacobs
Marshall Johnson
LeRoy Koppendrayner
Gregory Scott

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of a Northern States Power
Company's 1998 Integrated Resource Plan

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PROCEDURAL HISTORY

On January 5, 1998, Northern States Power Company filed its Integrated Resource Plan for 1998-2012.¹

On January 16, 1998, the Minnesota Department of Public Service (the Department) filed a completeness review of NSP's 1998 Integrated Resource Plan.

On February 2, 1998, the Izaak Walton League of America filed a Petition to Intervene in this matter.

On February 12, 1998, the Prairie Island Coalition filed a Petition to Intervene.

On February 27, 1998, the Department filed a Petition to Intervene.

¹ NSP's filing was timely, as directed by the Commission in the Order approving NSP's 1995 Resource Plan. See In the Matter of a Request by Northern States Power Company for Approval of its 1995 Resource Plan, Docket No. E-002/RP-95-589, ORDER APPROVING NSP's 1995 RESOURCE PLAN AS MODIFIED, REQUIRING CONSULTATION WITH INTERESTED PARTIES AND COMPLIANCE FILING, AND SETTING REQUIREMENTS FOR NEXT RESOURCE PLAN FILING (April 29, 1997) at page 20. In that Order, the Commission noted that NSP's next resource plan would be due on July 1, 1997 pursuant to Minn. Rule, Part 7843.0300, subp. 2. The Commission decided that due to the length of the 1995 proceeding it would vary the rule and direct NSP to file its next IRP on January 5, 1998 and to vary all comment and response dates accordingly. Order at page 20.

On March 10, 1998, the Commission issued a notice announcing the dates for initial comments (May 6, 1998) and reply comments (May 6, 1998 to July 7, 1998). These comment and reply dates were set in response to NSP's filing date (January 5, 1998), as called for in to the Commission's April 29, 1997 Order in Docket No. E-002/RP-95-589 at page 20. The comment and reply dates announced in the notice maintain the comment and reply intervals established in Minn. Rules, Part 7843.0300, subds. 10 and 12.

On April 3, 1998, the Department requested an extension of time to file comments.

The Commission met on April 14, 1998 to consider this matter.

FINDINGS AND CONCLUSIONS

In support of its request for additional time to file its comments in this matter, the Department explained that NSP has been unable to provide timely responses to the Department's requests for information that the Department needs to operate its UPLAN production cost model. The Department stated that a 60 day extension would allow it to fully review the Company's new modeling and, more importantly, have time to get its own UPLAN model operational to conduct its own sensitivity scenarios. The Department stated that using its own model would greatly improve its analysis of NSP's proposed expansion plan, including the Company's proposed DSM levels and other NSP conclusions such as its conclusion that additional wind power is not warranted at this time. The Department reported that NSP believes it will be able to deliver the required information by the middle of April.

The comment deadline in a resource plan proceeding is set by rule: Minn. Rules, Part 7843.0300. The current comment deadline (May 6, 1998) is set by variance given to that rule. The question before the Commission now, therefore, is whether an additional variance to extend the comment and response comment periods is warranted pursuant to Minn. Rules, Part 7829.3200. The Commission analyzes the standards set forth in that rule as follows:

1. Excessive Burden on the Department: the Commission finds that the current date for initial comments will not allow the Department sufficient time to adequately review NSP's new modeling results.
2. Public Interest: The extension will allow the Department to more adequately review NSP's proposed DSM levels and the Company's proposal not to commit to additional wind resources at this time. The public interest will be served by the Department being allowed adequate time to conduct a complete analysis of NSP's proposed plan.

3. Standards Imposed by Law: The requested variance violates no standard imposed by law. The comment and response comment deadlines are set according to Commission rule, not statute. The Commission has authority to vary its rules.

Accordingly, the Commission will vary the requirements of Minn. Rules, Part 7843.0300, subp. 10 and 12 and grant the Department's request. The date for filing response comments will be similarly altered, i.e. extended 60 days.

ORDER

1. The Department's request to extend the time for filing initial comments in this matter is granted. The deadline for filing initial comments is extended to July 6, 1998.
2. The period for filing reply comments is correspondingly extended to September 8, 1998.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)

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